

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

MICHAEL A. ESPOSITO,

Plaintiff,

V.

No. 2:15-cv-00263-GZS

SCOTT LANDRY, et al.,

Defendant

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objections having been filed to the Magistrate Judge's Recommended Decision (ECF No. 40) filed December 18, 2015, the Recommended Decision is **AFFIRMED**.

The Recommended Decision (ECF No. 39) on the Motion to Dismiss (ECF No. 27) filed by the correctional officer Defendants was intended to include Defendant Dennis Shipman who was inadvertently omitted. Therefore, it is **ORDERED** that Plaintiff's claims against Defendant Shipman are **DISMISSED** for failure to state a claim.

/s/ George Z. Singal
United States District Judge

Dated this 19th day of February, 2016.